

Davton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2-10

Passed January 25, 20 10

1/6/10-han
(Personnel & Safety)

Ordinance No. 2-10

An ordinance adopting the City of North Canton's Policy on Anti-Retaliation and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON,
COUNTY OF STARK, STATE OF OHIO:

Section 1. That a copy of the City of North Canton's Policy on Anti-Retaliation, be, and is hereby attached hereto and incorporated herein as if fully rewritten herein.

Section 2. That a copy of said Policy, be, and the same is hereby adopted.

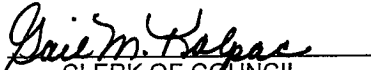
Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and necessary for the immediate effectiveness of the Policy on Anti-Retaliation and to ensure the continued efficient operation of the City of North Canton; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by council and approval by the Mayor.

North Canton, OH
Passed: 1/25/10


MAYOR

SIGNED: 2/01, 2010

ATTEST:


CLERK OF COUNCIL

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City of North Canton Anti-Retaliation Policy

This Anti-Retaliation Policy of the City of North Canton ("City"): (1) encourages employees to come forward with credible information on Prohibited Practices or Violations of Law; (2) specifies that the City will protect the person from retaliation; and (3) identifies where such information can be reported.

1. Encouragement of reporting. The City encourages complaints, reports or inquiries about Prohibited Practices or Violations of Law, including illegal or improper conduct by the City itself, by its leadership, or by others on its behalf. For purposes of this policy, "Violations of Law" means a violation of any state, federal or local law that the City has the authority to correct and the reporting employee reasonably believes to be: (i) a criminal offense that is likely to cause an imminent risk of physical harm to persons, (ii) a hazard to public health or safety, or (iii) a felony. For purposes of this policy, "Prohibited Practices" means conduct that a reporting employee reasonably believes to be a serious violation of the policies and practices established by the City and that would financially or detrimentally impact the City, such as incorrect financial reporting, financial improprieties, accounting or audit matters, or detrimentally impact the reputation of the City, such as ethical violations, fraudulent conduct, or other similar improper practices.

2. Protection from retaliation. The City prohibits retaliation by or on behalf of the City against employees for making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy. This includes, but is not limited to, retaliation in the form of an adverse employment action such as termination, decrease in compensation, or the threat of physical harm. Every effort will be made to protect the confidentiality of the employee making the report. However, a reporting individual's identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense.

This protection extends to those whose allegations are made in good faith but prove to be mistaken. The City reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy. Any staff member or volunteer who makes a report under this policy who believes he or she is being retaliated against must immediately contact the Director of Law. If the Director of Law is implicated in the complaint, report or inquiry, it should be directed to any member of City Council, the Mayor, or Director of Administration not so implicated.

3. Contents of report where to report and investigation. Subject to disclosure that may be necessary as described in Section 2 above, complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the basis for the complaints, reports or inquiries. They should be directed to the Director of Law. If the Director of Law is implicated in the complaint, report or inquiry, it should be directed to the Mayor, Director of Administration, or any member of City Council not so implicated. The City will conduct a prompt, discreet, and objective review or investigation. Employees must recognize that the City may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.